



Regional Livestock and Pastoralism Policy Training

Part 2: MOBILITY MATTERS



18th to 21st November 2008
Adama and Awash, Ethiopia



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Acknowledgements

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1. BACKGROUND

In the Comprehensive Africa Agriculture Development Programme (CAADP), the Common Market for Eastern and Southern Africa (COMESA) is tasked with developing a regional policy framework on pastoralism. This initiative is supported by a project called *Pastoral Areas Coordination, Analysis and Policy Support* (PACAPS) and recognizes that within the COMESA region pastoralists are among the most vulnerable and food insecure communities. To assist COMESA to strengthen its capacity in pastoralism and livestock issues, the PACAPS support includes the secondment of a senior policy adviser to the COMESA Secretariat, plus assistance with convening a Regional Livestock and Pastoralism Forum as a means to foster consultation with a range of governmental, private sector and civil society stakeholders. In addition to these activities, PACAPS works with COMESA to design specific training courses covering key aspects of pastoralism and policy.

A first training course for COMESA and partners took place in Garissa, Kenya from 22nd to 26th September 2008 and focussed on livelihoods analysis, and livestock marketing and diversification issues. The training focused on professional staff from the COMESA Secretariat, but also included representatives from the African Union/Interafrican Bureau for Animal Resources, the Livestock Policy Initiative of the Food and Agriculture Organisation and Intergovernmental Authority for Development (IGAD), and national representatives from Djibouti, Ethiopia and Kenya. The training introduced the livelihoods analytical framework as a tool for reviewing and analyzing pastoralist livelihoods, and then applied the tool to examine livestock marketing and livelihoods diversification, and related policy options. Livestock marketing was examined at domestic, cross-border, regional and international levels.

This report describes the second COMESA training which took place in Adama and Awash, Ethiopia from 17th to 21st November 2008. This training focused on the underlying ecological rationale for pastoral mobility, options for legislative support for pastoral mobility, conflict issues, and pastoralist civil society and representation. The specific objectives for the course were:

- Objective 1: To introduce COMESA and CAADP to the scientific basis for mobility in pastoralist areas, including the need for cross-border movements as part of the normal livelihoods strategies of pastoralists in the region.
- Objective 2: To improve COMESA's knowledge and understanding of land use challenges in pastoral areas, including land tenure policies and legislation, incursions into traditional pastoral grazing lands, and experiences of working with traditional pastoralist institutions for natural resource management.
- Objective 3: To improve COMESA's knowledge and understanding of conflict in pastoral areas, with a focus on resource-based conflict and experiences with conflict prevention and resolution.
- Objective 4: To review the concept of political capital in pastoral areas and examine the role of pastoral civil society in policy dialogue, including its future contribution to policy processes in COMESA.

2. TRAINING CONTENT AND APPROACH

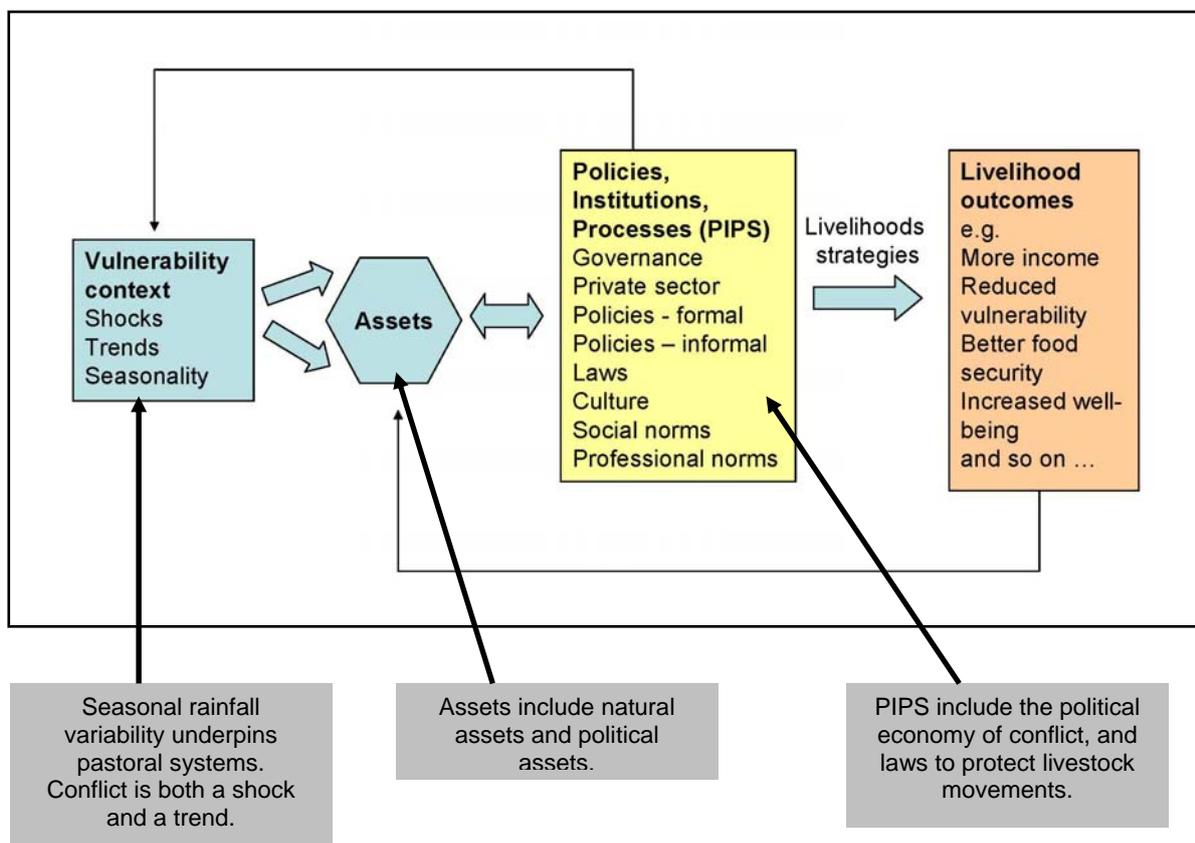
2.1 Analytical framework

The analytical framework during the training was the sustainable livelihoods framework, as used during the Part 1 training in Kenya. The framework enables a description of local

individual, household or community ‘assets’ to be positioned and analyzed against factors which contribute to vulnerability, such as seasonality, shocks and trends. The framework also allows examination of formal and informal policies, institutions and processes which affect the ways in which people are able to protect or develop their assets. This part of the framework includes sub-national, national, regional and international policies and institutions and, therefore, is highly relevant to a regional body such as COMESA.

Within the sustainable livelihoods framework, the Part 2 training focused on natural assets and the marked seasonality of rainfall in pastoral areas which determines mobility. The training also examined conflict as both a shock and a trend, and the formal and informal institutional arrangements which prolong conflict. Legislation for supporting pastoral movement, including cross-border movements, was considered as part of the ‘policies, institutions and processes’ box.

The sustainable livelihoods framework



2.2 Training approach

The training approach focused on a mix of presentations and group work. This was complemented by discussions with pastoralist elders from southern Ethiopia, and field visits to Afar pastoral areas around Awash.

The final sessions of the training aimed to draw out key facts, issues and policy narratives which might feature in a COMESA policy on food security in pastoral areas. The intention was not to



produce any of the final content of the policy, but to flag important aspects in relation to the mandate and strategies of COMESA and some of its ongoing activities.

2.3 Training materials

Training materials comprised copies of all presentations and supporting material in the form of handouts. These materials were also made available in electronic form on a CD-ROM.

2.4 Outline of the training course

Day 1, Monday 17th November.

Welcome and introductions	Francis Chabari, PACAPS, Tufts University
Morning session	<i>Livelihoods and Mobility: the Ecological Basis for Pastoral Livestock Production in the COMESA Region</i> Lead facilitator - Dr. Roy Behnke
Afternoon session	<i>Mobility and Cross-border Pastoral Livelihoods in the COMESA Region</i> Lead facilitator - Dr. Roy Behnke

Day 2, Tuesday 18th November

Morning session	<i>Land Tenure in Pastoral Areas: Policy, Legislation and Challenges</i> Lead facilitator – Ced Hesse
Afternoon session	<i>Approaches to Natural Resource Management: Working with Pastoral Institutions</i> Lead facilitator - Adrian Cullis

Day 3, Wednesday 19th Nov.

Morning session	<i>Conflict in Pastoral Areas</i> Lead facilitator - Dr. Andy Catley
Afternoon session	<i>Legislative Support to Pastoral Mobility: Examples from West Africa and Europe</i> Lead facilitator - Ced Hesse <i>Pastoral Voice and Policy Process: Enhancing the Political Capital of Pastoralists in the COMESA Region</i> Lead facilitator - Dr. Andy Catley

Day 4, Thursday 20st Nov.

Morning session	<i>Policy Lessons and Issues for COMESA</i> Lead facilitator - Dr. Andy Catley
Afternoon session	<i>Introduction to field visits</i> Lead facilitator - Dr. Dawit Abebe Travel to Awash via irrigated sugar scheme; overnight in Awash.

Day 5, Friday 21st Nov.

Morning session	Visit conflict buffer zones east of Awash
Afternoon session	Evaluate training; return to Addis Ababa.



3. TRAINING SESSIONS

3.1 Ecology and rainfall: why does pastoral mobility make sense?

The parts of Africa where pastoralists live are characterized by extreme climatic variability, especially with respect to rainfall. This variability may be seasonal – as in the annual alteration between wet and dry seasons – or unpredictable and erratic, as in multi-year droughts. Livestock mobility is one of the most effective techniques African pastoralists have developed for coping with both regular seasonal variability and random drought.

Our first objective was to understand why herd movement is effective in preserving both pastoral livelihoods and high levels of livestock production in these unstable climates.

Nomadic movement is often seen as a ‘primitive’ and unproductive way of life. The following statistics suggest otherwise. They compare cattle performance in nomadic versus settled herds in Darfur, Sudan. As the following table shows, nomadic cattle consistently out-perform sedentary cattle across a wide range of indicators.

The performance of settled and migratory cattle in Darfur, Sudan

Performance indicator	Migratory herds	Sedentary herds
Calving rate	65%	40%
Females first calving under four years old	65%	29%
Total herd mortality	15%	35%
Calf mortality	11%	40%
Meat production per breeding female	0.057kg	0.023kg

Source: Wilson RT and SE Clarke, 1976. Studies of the livestock of Southern Darfur, Sudan II: Production traits in cattle. *Tropical Animal Health and Production* 8: 51-57.

How does herd mobility contribute to the maintenance of these relatively high levels of performance?

If a herd is confined to one place, livestock numbers, viability and productivity are limited by the scarcest resource in the scarcest season in that particular place. As long as conditions are constant, good times are pretty much like bad times and being tied to one place is not too much of a liability. On the other hand, movement becomes attractive when – as in semi-arid Africa – conditions fluctuate widely such that a place that is extremely attractive at one time becomes virtually uninhabitable in another. The temptation then is to simply walk away from problems, especially if one environmental zone or area offers good grazing possibilities precisely when another area or areas is unsuitable. Mobile herds can then move from one favourable area to another, avoiding resource-scarce periods in each zone that they visit. In this way mobile livestock producers can maintain over a wide geographic region a larger and more productive livestock population than could be sustained by separate herds each confined to its own small area.

In South Darfur there is a strong north-south seasonal pulsation of livestock driven by four factors: the condition of grass, the availability of water, the extent of mud or flooding, and the presence or absence of biting flies. The herds therefore move to avoid environmental constraints. But botanical studies have shown that these movement patterns also provide cattle with access to the most nutritious grazing available throughout the region in each season of the year – moving north with the flush of green grass at the beginning of the wet season and returning south with the retreat of green vegetation to low-lying areas in the dry season. In the course of avoiding flies, mud, flood and drought, mobile cattle manage to eat better than their settled cousins, which is reflected in the statistics cited in the above table.



It could be argued that the Darfur case is an exception, but it is not. Nor is there anything particularly special about the advantages of mobility for domestic livestock in comparison to other kinds of animals. The great majority of the world's large wildlife populations – of mammals, birds, and fish – are migratory species.

The following table examines the implications of these conclusions for domestic livestock production in Africa. It compares output from settled commercial ranching versus open-range pastoralism in the Sahel, Eastern and Southern Africa.

Comparison of outputs from pastoralism versus settled commercial ranching

Country	Productivity of pastoralism and ranching (ranching = 100%)	Units of measure
Mali ¹	80-1066% relative to US ranches 100-800% relative to Australian ranches	Kg protein production/ha/year
Ethiopia ² (Borana)	157% relative to Kenyan ranches	MJGE/ha/year
Kenya ³ (Maasai)	185% relative to East African ranches	Kg protein production/ha/year
Botswana ⁴	188% relative to Botswana ranches	Kg protein production/ha/year
Zimbabwe ⁵	150% relative to Zimbabwe ranches	Zimbabwe \$/ha/year

Sources:

¹Penning de Vries, FWT and MA Djiteye, 1982. The productivity of Sahelian rangelands: a study of soils, vegetation and land use in the region PUDOC, Netherlands: Wageningen.

²Cossins, WJ, 1985. The productivity of pastoral systems. *ILCA Bulletin* 21: 10-15.

³Wesern, D, 1982. The environment and ecology of pastoralists in arid savannas. *Development and Change* 13: 183-211.

⁴de Ridder, N and KT Wagenaar, 1984. A comparison between the productivity of traditional livestock systems and ranching in Eastern Botswana. *ILCA Newsletter* 3(3): 5-6.

⁵Barrett, JC, 1992. The economic role of cattle in communal farming systems in Zimbabwe. *Pastoral Development Network Paper* 32b, ODI, London.

The studies cited here captured in one unit of measure – protein, calories, or cash – the combined value of the diverse array of dairy, traction, meat, and fertilizer products generated by indigenous African herds. All these studies expressed this output on a per hectare basis, which makes possible a direct comparison of land productivity under different production and land tenure systems. According to these studies pastoral systems consistently outperform sedentary ranching systems not by a narrow margin but by orders of magnitude.



Movement makes good production sense – pastoral systems consistently out-perform settled ranches in Africa.



As a closing exercise, course participants were asked to design stocking and feed strategies for a hypothetical rangeland area subject to sharp changes in feed supply. This involved deciding how many animals they would keep in a given area (the stocking rate), how they would feed these animals, and how they might profitably dispose of them when rainfall was insufficient and forage was scarce.

Participants identified a range of stocking rates from conservative to heavy stocking, examined the use of cultivated and purchased feed to supplement natural grazing, and considered the disposal of surplus livestock through both sales and movement. It turned out that all these options had some advantages and disadvantages, with different combinations of husbandry techniques meeting the needs of different kinds of livestock producers. These deliberations showed that support for livestock mobility was not an 'all or nothing' proposition with the forces of modernization and efficiency inevitably arrayed on the side of settlement and fencing. The example of commercial ranching in developed economies further supports this conclusion.

To this day, American ranchers in the Great Basin of the western USA practice seasonal transhumance, keeping their cattle on privately owned valley-bottom land in the winter and moving them to government owned highlands for summer grazing. In localized droughts, Australian ranchers lease each others properties and truck animals hundreds of kilometres to obtain grazing that is unavailable at home. Course participants watched a film documenting long-distance sheep flock migrations in modern Spain (see Box 3, page 12). In all these cases livestock movement is part of a diverse portfolio of risk management strategies. It is retained by these modern ranchers because it is technically efficient and economically cost effective, as it is for Africa's indigenous livestock producers.

Movement in industrialized settings is made possible by land tenure arrangements that make it legal – through regulated access to state lands in the US, government-protected long-distance trek routes in Spain, or the exchange of private leases in Australia. The next section examines the issue of suitable land tenure arrangements to support livestock mobility in Africa.

3.2 Land tenure in pastoral areas: policy, legislation and challenges

Governments in East Africa have used a range of policy interventions to improve pastoralism and the management of pastoral land. These interventions have by and large been based on highly negative perceptions and very little understanding of how in practice pastoral communities actively manage land and key resources such as pasture and water, particularly in the dry season. We started by examining the persistence of colonial and post-colonial government perceptions that land managed under common property regimes in pastoral areas inevitably leads to degradation (see Box 1).

Using these policy quotes, participants identified a number of key issues:

- Perception that communal land tenure means land belongs to every body;
- Perception that communal land tenure does not encourage either investment or sustainable use of resources;
- Perception that pastoral communities do not try and limit their livestock numbers and that this results in over-grazing, degradation and livestock mortality;
- Perception that pastoralists are irrational and irresponsible.

We then looked at how Garrett Hardin's article on the "tragedy of the commons", in which he uses African pastoralists to illustrate his wider theory that given human being's natural disposition to seek immediate profits for themselves at the expense of the sustainable management of the Earth's natural resources, global population growth will have to be controlled by government.

Despite Hardin's later apology and explanation that his use of African pastoralists was purely



Box 1: Persistent perceptions driving policy

1933

“I cannot admit that wandering tribes have a right to keep other and superior races out of large tracts merely because they have acquired the habit of straggling over far more land than they can utilise.” Charles Elliot, Governor of East Africa Protectorate. Source: Kenya Land Commission Report, Nairobi, Government Printer, 1933, p.642

1948

“There is one over-riding stumbling block that is the system of uncontrolled communal land tenure which permits of the fiercest competition taking place for every blade of grass and every drop of water...pasturage, the life-blood of animal husbandry, is the common property of all and consequently little effort is made to improve or indeed preserve it”. Director of Veterinary Services, Tanganyika, 1948. Quoted in Lane, 1998.

1989

“The practice of grazing private livestock on communal land constitutes the single major constraint to improved management of the natural pasture land. The inevitable result of this system of livestock production is that the cattle owners keep excessive numbers of livestock which in turn leads to over-grazing, soil degradation, low fertility and high mortality rates.” An official of the Ministry of Agriculture and Livestock Development, 1989. Bilali, 1989, quoted in Lane 1998.

2005

“We will take deliberate measures to improve the livestock sector. Our people must change from being nomadic cattle herders to being settled modern livestock keepers. We will take measures to improve pastures, veterinary care, cattle dips and auctions. It is the duty of all Regions, Districts and Local Authorities to set aside pastoral land, especially in those areas with much livestock.” Speech by the President of Tanzania on inaugurating the fourth phase Parliament of the URT, 30 December 2005.

hypothetical, the damage was done. Donors and governments in Africa have since used his thesis to justify either the alienation of pastoral land for other “more rational” use (e.g. conservation, irrigated agriculture) or to make pastoralists use natural resources in a “rational” manner (e.g. ranching).

In small “buzz-groups”, participants studied that part of Hardin’s article referring to pastoralists and identified five key arguments to counter the “tragedy of the commons” thesis (see Box 2).

The privatisation of the rangelands coupled with interventions to increase livestock productivity and off-take (improved breeds, veterinary and water inputs) have been widely promoted by government in response to Hardin’s “tragedy of the commons”. The underlying logic for privatisation has always been based on the premise, communal tenure discourages sustainable rangeland management or appropriate stocking levels. Governments in eastern Africa (and elsewhere) have experimented with privatisation as a means of increasing productivity in the rangelands, but the experiments have invariably failed, leading to increased poverty, environmental degradation and greater vulnerability.

Using the Maasai Livestock and Rangelands Management Project implemented in northern Tanzania with World Bank funding in the early 1960s as an example, we critically examined the difficulties in seeking to privatise the rangeland and control stocking rates in an environment characterised by unpredictable, scattered and unreliable natural resources. The project not only failed to meet its own objectives of de-stocking the range and raising beef production for the domestic and international markets, but also increased the economic insecurity of Maasai



households, increased the disenfranchisement of Maasai women from their rights in livestock and increased State power over the Maasai.

Box 2: Counter arguments to Hardin’s Tragedy of the Commons

Argument 1: No account is taken of herd dynamics. In Hardin’s article it is assumed that pastoralists are able to keep adding animals to their herd. No account is taken of off take for sales, loss through mortality or raiding, or the slow growth rate of cattle (circa 3.4% for cattle).

Argument 2: No account is taken of mobility. It is assumed the pastoral system is closed and livestock remain “locked-in” a particular area despite depleting pastures.

Argument 3: No account taken of the dynamics of natural pastures. It is assumed that pastures are a fixed resource. In reality pastures have annual/seasonal growth cycles and complex reproduction dynamics.

Argument 4: No account is taken of rules of access and management. The text assumes “pastures are open to all”. In practice, pastoral systems have complex rules of access to and management of natural resources.

Argument 5: No account is taken of wider society and social institutions. It is assumed that pastoralists are isolated and selfishly pursue individual objectives at the expense of their community. In practice, pastoralists have families and live in broader communities (clans, etc.) with complex social, cultural, political and economic rules regulating their lives.

3.3 Traditional institutions and natural resource management

The session started with Adrian Cullis presenting a pictorial overview of Save the Children/US’s work with customary pastoralist institutions in southern Ethiopia. The approach that Save the Children/US is adopting involves customary pastoral institutions in decision-making on all matters related to the ‘3 pillars of pastoralism’ – livestock, rangelands and people/ communities. In order for the livestock to be healthy, productive and free from the threat of drought, the rangelands must be productive and well managed and in order for this to happen, pastoralists have to make informed and coordinated decisions regarding livestock movements and management.

In Save the Children/ US’s experience only customary institutions have the knowledge, skills and gravitas to make and enforce informed decisions regarding livestock movement. By working with customary institutions progress is being made to support and strengthen more mobile livestock production systems, dismantle private enclosures which have fragmented key rangelands and therefore reduced livestock productivity, and manage livestock disease and marketing. In contrast to what is sometimes believed, the elders decisions continue to represent the best interests of all age and gender groups in the communities.

Like other institutions, customary pastoral institutions are constantly changing and adapting. For example, some pastoral customary institutions actively encourage the active participation of women and in this regard are well ahead of many other African institutions. Save the Children/ US will continue to support customary institutions even in areas where customary decision-making has been marginalized and weakened, because in this way there are more opportunities for pastoralists to be heard. This said, however, in contrast to orchestrated pastoral ‘gatherings’ which are increasingly in the headlines, Save the Children/US’s longer-term aim is to withdraw from the meetings and in this way leave pastoralists to plan their own futures.

Three prominent pastoralist elders from southern Ethiopia were then invited to highlight their roles in the communities they represented. Some key points were as follows:

- The responsibilities under the Pastoral Associations: management of rangeland and water resources and strengthening traditional management systems that had been weakened over time. The results were already visible – improved grazing, including reserves for difficult times.
- The role of the community in animal health service delivery was stressed. This, combined with good grazing practices, had led to better survival through droughts. Migrations into Kenya and Somalia are also better negotiated and coordinated.
- The Council of Elders arbitrates over issues of water use and natural resource management, decides migrations to reserved areas and outside their grazing territories and manages conflict. The council works closely with government institutions to minimize conflicts in interpretation of roles.

The presentations by the elders was followed by a plenary question and answer session with participants wanting to clarify aspects of the elders’ presentations. The session was then split into two groups, one elder with one group and two elders in the second group, for longer interactive discussions.



Participants and facilitators with Boran elders during discussions on customary pastoral institutions

Next morning, the participants summarized the previous afternoon discussion into five broad topics:

1. Pastoral policy issues need urgent attention
2. Pastoral voice – participation in formulating pastoral policy papers and in support of pastoral mobility.
3. Conflict resolution – best through traditional institutions
4. Livestock marketing – cross-border nature of movements and trade
5. Rangeland management – traditional grazing systems more resilient than government sponsored “modern systems”

These issues are captured in the final lessons learned for participants in Section 4.

3.4 Conflict in pastoral areas

This session started with a mapping exercise to show various locations and types of conflict affecting pastoral areas of the Horn of Africa region, either ongoing or recent. Examples included:

- The Darfur conflict in Sudan, with cross-border impacts in Chad;
- The Somalia conflict, with cross-border impacts in northeast Kenya and eastern Ethiopia;
- The Karimojong cluster area, comprising northwest Kenya, northeast Uganda and parts of South Sudan and southwest Ethiopia, with conflict linked to livestock raiding;
- More localized ethnic conflicts such as between Somali and Afar communities, or Guji and Boran communities in Ethiopia, or between Boran and Somalis in Kenya.



It was noted that all of these conflicts were long-term.

Participants were then asked to suggest causes for conflict in pastoral areas. Their responses are listed below.

What are the cause of conflict in pastoralist areas?

- Borders imposed by colonial administrations, with ‘straight lines’ running through traditional ethnic areas
 - Colonial investments in development, education and infrastructure directed towards specific, favoured non-pastoral ethnic groups; creation of civil service with limited pastoral inclusion
 - International politics, the Cold War and its aftermath; militarisation
 - Ethnic diversity and complexity
 - Religious beliefs
 - Long ‘porous’ borders and the problems of border control
 - Competition over scarce natural resources, especially during drought
 - Continuing economic and social marginalization of pastoralists; limited education and services; poverty fuels conflicts
 - Weakened pastoral institutions, undermined by government
 - Continued availability of small arms
 - The “hunger for power” among politicians
 - Continued migration, internally-displaced people and refugees
 - Political instability
 - Recent international trends; anti-terrorism
- Historical factors
- Physical factors
- Governance factors now
- Contemporary international policies

In addition to these cause of conflict, a further aspect was introduced viz. the political economy of conflicts and the notion that for some actors, there were incentives to maintain conflict for personal or political gains. Protracted conflict, especially in cross-border areas, could be associated with informal trading activities by those with control or resources, such as military actors, traders, local politicians or others. Such trade might be especially profitable because of the conflict.

The session then discussed some of the impacts of conflicts, such as the breakdown of formal trade and markets; the direct impacts of violence on civilians – especially women and children, and including rape and sexual abuse as a tactic of warring parties; indirect or deliberate



destruction of infrastructure and services; deliberate asset depletion, including raiding of livestock; and restrictions on movement leading to reduced access to grazing areas and markets. In addition, conflict meant that pastoral areas were perceived as 'high risk' by the private sector and formal financial institutions. For governments, money spent on military activity was money not spent on health, education or other social services.

Participants were then asked to suggest ways in which governments respond to conflict in pastoral areas, with emphasis on preventing or resolving local conflicts:

- By negotiating and mediating
- By disarming, armed intervention, or arrest and imprisonment
- Through the use of Home Guards or equivalent
- By supporting conflict early warning (national/regional)
- By retrieving raided livestock
- Supporting the 'Wajir model' and women's role in conflict resolution in Kenya; similar involvement of women in peace building in the Karimojong cluster under AU-IBAR
- Referendum at community level
- By the use of threats e.g. use of army or police.

The final part of this session looked at the cross-border aspect of conflict from the perspective of COMESA's aim to promote regional integration, and the free movement of people, goods and services. Participants were asked to discuss three policy narratives as follows:

"The principle of free movement of people, goods and services is highly relevant to cross-border pastoral areas because it supports the inherently cross-border nature and efficiency of pastoral production systems and livelihoods."

"The principle of free movement of people, goods and services contradicts our anti-terrorism agenda. We need to tightly control our border as part of our strategy to prevent terrorism".

"The answer is not tighter border control and restrictions, but development. When people see government providing services, the relationships between government and communities will improve, and so will security".

One outcome of the session was the realisation that in conflict-prone pastoral areas, regional policies on trade and economic development need to take account of other agendas and policies, such as those related to national security or counter insurgency.

Some final concluding remarks were:

- Analysis of conflict is crucial – e.g. causes, political economy, governance issues; costs of conflict
- In protracted crises/complex emergencies, market-based and livelihoods approaches to food security programming are often possible (cf. food aid)
- Lower level conflict environments - typical development strategies such as market support, trade and private sector investment are all hindered by conflict; governance issues have to feature in food security strategies?
- The issue of supportive land tenure policies and laws as a means to reduce conflict in pastoral areas
- Cross-border issues – a particular challenge for COMESA? How to rationalize the economic and ecological logic of trans-boundary pastoral livelihoods with security agendas; peace and development dividends
- Harmonized approaches and consistent messages – links with other RECs and AU.

3.5 Legislative support to pastoral mobility: examples from West Africa and Europe

This session was based around the question, ‘Is it possible to develop legislation which supports pastoral mobility, and if so, how?’ The session first reviewed Spanish legislation to support livestock movements via protected routes, and then summarized relevant legislation from West Africa.

Livestock, movement and law in Spain

Spain has passed a law to protect and regulate the use of its “Cattle Trails”. These trails used to be very important and were protected by royal decree. Today, they still provide a service to part of the national livestock herd enabling animals to move between the summer pastures in the mountainous north and winter pastures in the lowlands. These trails are equally important today for a range of leisure and recreational activities such as walking and horse riding and are protected by law (see Box 3). Participants agreed that mobility need not be incompatible with a “modern” state!

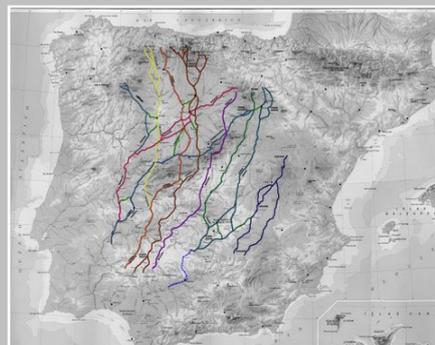


Box 3: The Spanish State, Act 3/95 of 23 March on Cattle Trails

The Act provides a legal system for cattle trails

Key provisions

- Cattle trails are public domain assets of the Autonomous Regions and, consequently, are unalienable, unprescribable and unattachable.
- Cattle trails may be used by other compatible and complimentary activities (priority given to cattle movement) that respect principles of sustainable development and respect for the environment, scenery and natural and cultural heritage.
- The Autonomous Regions are responsible for conserving and updating the cattle trail network as well as guaranteeing their public use.
- They are also responsible for classifying, surveying and marking the boundaries.
- Only those cattle trails, which are unsuitable for the movement of cattle, can be de-classified.
- The creation of a National Cattle Trail Network, including trails for cross-border movement managed by the Ministry of Agriculture, Fish and Food.





Legislation in West Africa

We then looked at how Guinea, Mauritania, Mali, Burkina Faso and Niger have recently passed legislation specifically in support of pastoralism. This was motivated by a desire to address the growing problem of conflict between pastoralists and farmers. Collectively these laws present many positive features:

- **Recognition and protection of mobility:** there are strong provisions within both the Pastoral Charter in Mali and the Pastoral Code in Mauritania that protect mobility.
- **Recognition of priority use rights over resources:** the Rural Code in Niger recognises that residents are “primary users” and have priority rights of access and use.
- **Recognition of “productive” pastoral land use:** the Pastoral Charter defines productive use of pastoral land in a positive way.

But there are also some provisions that potentially are quite dangerous for pastoralism and will reduce mobility. These are particularly found in the Pastoral Code in Burkina Faso characterized by a very top-down technocratic approach where the government retains a lot of control over the manner in which certain pastoral areas are managed, and how rules of access and management are determined in advance and by law. It is a very inflexible system that is not suited for “disequilibrium environments”.

We concluded that while there is increasing interest and goodwill by government to help pastoralists, particularly in the Sahel, such help may be dangerous if they do not fully understand the critical role of ecological dynamics in driving the pastoral system in dryland Africa. Given the specificities of dryland ecology, institutional arrangements must enable people to cope with seasonal and inter-annual variability of natural resources, and with expected but unpredictable natural shocks like droughts, floods or disease. They must also provide robust, effective and accessible mechanisms for dealing with resource conflict between multiple uses, particularly in areas where competition over resources has increased as a result of demographic growth, socio-economic change or investment inflows.

3.6 Pastoral voice and policy process: enhancing the political capital of pastoralists in the COMESA Region

This session aimed to review the limited involvement of pastoralists in policy process, and the apparent divide between the perceptions of policy makers and the priorities of pastoralists themselves. The question was posed to the participants, ‘Why are pastoralists so isolated from policy making?’ The main responses were as follows:

- Historical factors, such as the influence of colonialism, limited education in pastoral areas and the creation of civil services with few people from pastoralist backgrounds
- In some countries, the relatively small size of pastoral populations and therefore, their limited political significance in terms of national elections
- Diverse pastoral groups within a country e.g. the various ethnic groups in southwest Ethiopia
- Language and communication problems
- The physical inaccessibility of pastoral areas, combined with misunderstanding about ‘who are the real pastoralists’. In a pastoral area, talking to people in small towns (such as traders) will not provide the same information as talking to pastoralists out on the rangelands.

But perhaps the two most telling statements were:

“Policy makers do not understand pastoralism, and pastoralists don’t understand policy makers”.
“Among policy makers there is the perception that pastoral areas are “non productive”, so why bother?”

Attempts to improve pastoral representation in policy making included:



- The creation of Pastoral Parliamentary Groups (Kenya), Nomadic Council (Sudan) and Pastoral Standing Committees (Uganda, Ethiopia) as a means to organize debate on pastoralism within central government with involvement of parliamentarians from pastoral areas
- Decentralised governance arrangements which allow more local levels of government to develop and apply sub-national policies and legislation within national frameworks
- The creation of central ministries dealing specifically with pastoral areas, such as the Ministry for the Development of Northern Kenya and other Arid Lands, tasked with coordinating line ministries and raising awareness of pastoralism within government more generally
- The use of events such as national 'Pastoral Week' or 'Pastoral Day' to raise awareness and promote pastoralism
- A wide range of activities supported by local and international NGOs, some from the perspective of development and other from human rights or minority rights angles.

The recent AU process for developing a policy framework for pastoralism in Africa was discussed, with its commitment to ensure dialogue with pastoralists throughout the continent. At the same time, the practical difficulties of arranging and funding this dialogue were also mentioned. Specific lessons learned and ways forward are detailed in section 4.4. below.

4. POLICY ISSUES AND LESSONS FOR COMESA

Participants were asked to work in groups, reflect on the presentations and discussions during the previous three days, and identify key policy-related statements which should inform future COMESA thinking and policy on pastoralism. The feedback is reproduced below.

4.1 Pastoralist rangeland management and land tenure

COMESA, AU-IBAR and IGAD

- *'The main principle in pastoralism is the variability of weather and this has a major influence on pastoral range management and how it has evolved.'*
- *'Whichever form of pastoral system is considered, mobility remains the life blood of range management.'*
- *'A critique of the Tragedy of the Commons shows that it doesn't consider seasonality and it assumes animals don't die.'*
- *'Key lesson - pastoralists exercise prudence in management of pastoral areas as seen through mobility and herd management.'*
- *'Enclosure is not suitable for pastoral areas; traditional communal land tenure works better.'*

Djibouti participants

- *'Pastoralists have the experience to manage and use their resources.'*
- *'No outside ideas were found to be better than the traditional pastoral system. In Djibouti we have the Afar and Somali ethnic groups. Each group has its own customary laws and institutions regarding land use.'*
- *'Pastoralist livestock are preferable in quality, productivity, health and for the environment.'*

Ethiopia participants

- *'Traditional rangeland management was effective'*
- *'Currently the system is weakened by external factors such as like land use transformation'*
- *'Wrong perception about the rangeland management of pastoralists by policy makers, researchers, development partners etc.'*

Kenya participants

- *'Mobility is essential for survival and pasture regeneration'*



- *'Enables animals to utilize/access the most nutritious pastures'*
- *'Sedenterization is not appropriate'*
- *'Land in pastoral areas has ownership by clan or community; private ownership is a threat.'*
- *'COMESA policy – what we need is to support pastoral mobility as a good strategy for natural resource management in pastoral areas, and, recognition of communal land ownership in law.'*

4.2 Conflict and customary institutions

COMESA, AU-IBAR and IGAD

- *'Conflict mapping- there are many conflicts in pastoral areas.'*
- *'Conflict is often cross-border in nature.'*
- *'We also looked at causes of conflict: scarcity of resources, governance and demarcation among others.'*
- *'Customary institutions play a key role in conflict management.'*
- *'To develop a pastoral policy framework COMESA needs to take into consideration conflicts, cost on food security and its impacts.'*
- *'Support and strengthen Customary Institutions.'*
- *'Deliberate policy that allows for active engagement in negotiations and dialogue at a higher level.'*
- *'Invest in early warning systems.'*
- *'Partner and collaborate with national NGOs.'*
- *'Documentation and dissemination of best practices on conflict management and resolution.'*

Djibouti participants

- *'The Somalis have an open grazing system giving every member the choice to graze where he likes. The Afar have demarcated areas on a tribal basis. These differences in land tenure are a cause of conflict between the two groups.'*
- *'COMESA must make sure that any regional policy framework includes a protocol for conflict resolution.'*

Ethiopia participants

- *'The causes of conflict in pastoral areas are understood. Livelihoods, traditional systems, and the social, economic and environmental fabric of pastoral communities are affected by conflict.'*
- *'There is a role for customary institutions in resolving conflict, including cross-border conflict.'*

Kenya participants

- *'Conflicts are caused by historical injustices, diminishing resources, arms and climate change.'*
- *'There are winners and losers in each conflict.'*
- *'There is conflict between the roles of administrations and customary institutions.'*
- *'COMESA policy – what we know is that customary institutions have the capacity to solve conflicts and they need recognition in law, plus we need room for collaboration with government and an early warning system.'*

4.3 Cross-border movement

COMESA, AU-IBAR and IGAD

- *'Cross-border movement supports pastoral mobility and range management.'*
- *'Cross border mobility is a reality.'*
- *'Pastoral movement across borders is not haphazard but rather follows negotiation and consultation.'*
- *'Facilitate bilateral agreements in the major pastoral areas; Uganda, Kenya, Somalia Ethiopia and Sudan.'*
- *'Harmonise policies within these areas where possible: land tenure, disease management, corridors of movement.'*



- *'Trade facilitation in the pastoral areas'*.
- *'Market information system development'*.
- *'Trade policy harmonisation'*.

Djibouti participants

- *'COMESA must make sure that any regional policy framework includes agreements on cross-border transhumance, cross-border livestock marketing and animal health certification'*.

Ethiopia participants

- *'Cross-border movements of pastoral groups in the Horn of Africa have been practiced and are still practiced. Customary institutions used to play a big role in the co-existence of pastoral groups across the border'*.
- *'It needs strengthening and formalisation of policies across the border'*.

Kenya participants

- *'International borders are irrelevant to pastoral communities; these communities straddle the borders'*.
- *'COMESA policy – what we need is officially demarcated stock routes within and across borders, and stock routes to be entrenched in law, plus harmonization of cross-border SPS issues, disease control and certification'*.

4.4 Pastoral voice and representation in policy process

COMESA, AU-IBAR and IGAD

- *'Strengthen pastoral representation in policy processes.'*
- *'Facilitate the creation of Pastoral Associations'*.
- *'Strengthen the existing Pastoral Institutions'*.
- *'Facilitate a forum of pastoral associations in the region'*.
- *'Learn from farmer associations and apply best practices where possible'*.

Djibouti participants

- *'Pastoral society must be consulted on policy formulation and must have the right representatives at state level'*.

Ethiopia participants

- *'Pastoralists are poorly represented in developing policy and strategies'*
- *'Currently the trend seems to be improving with better representation, advocacy and involvement in development.'*
- *'COMESA needs to support civil society in policy advocacy'*.

Kenya participants

- 'The pastoralist voice is weak as is their representation in policy dialogue'*.
- 'There are perceptions that pastoralists do not contribute to GDP.'*
- 'COMESA should facilitate and engage pastoralists in policy formulation and implementation'*.
- 'COMESA should facilitate the formation of a regional body of pastoralists'*.
- 'COMESA should create a desk specifically dealing with pastoralism'*.

5. VISIT TO AFAR PASTORALIST AREAS

A visit to Afar pastoralists areas near to Awash in eastern Ethiopia was organized so that participants could directly observe the environment and conditions, and witness some of the policy challenges facing pastoralism in terms of land use and conflict.



Kereyou grazing lands near Tututi, Ethiopia, soon after the end of the short rains.



Afar cattle, near Awash, Ethiopia.



Unused grazing lands on Allidegi plan due to conflict between pastoralist groups.



Traditional Afar houses with an extensive irrigation scheme in the background, preventing access to dry season grazing areas. Debates over the most sustainable and economic use of land are often driven by misunderstandings about the ecological basis for pastoral mobility and the efficiency of pastoral livestock production.

6. NEXT STEPS: DRAFTING THE COMESA POLICY FRAMEWORK FOR FOOD SECURITY IN PASTORAL AREAS

The training in Adama was part of a capacity-building process to assist COMESA to draft a regional policy framework for food security in pastoral areas. The topics covered by the trainings in Garissa (Kenya, September 2008) and Adama (Ethiopia, November 2008) now include:

- Overview of pastoral livelihoods using the livelihoods analysis
- Livestock marketing and trade at domestic, regional and international levels
- Livelihoods diversification
- The ecological basis for pastoral mobility
- Legislative options for supporting pastoral mobility
- Conflict in pastoral areas
- The role of pastoral customary institutions
- Pastoralist representation in policy processes

These issues will be discussed further in events such as the COMESA Regional Livestock and Pastoralism Forum, planned for March 2009.

A third and final training event is provisionally planned for May-June 2009, and this will cover humanitarian assistance in pastoral areas of the Horn of Africa, and experiences with approaches such as drought cycle management, and livelihoods-based programming for both drought response, and in protracted crises. This training will run back-to-back with an internal workshop at COMESA to begin drafting the policy framework.



Annex 1 Participants and facilitators

Participants

Name	Position	Organisation
Ms. Gloria Phiri	Research Assistant, CAADP	COMESA
Mr. Lutanga F. Mukuti	Market Specialist	COMESA
Mr. Julius Mathende	Inputs Specialist	COMESA
Mr. Shamseldin M. Salim	Agricultural Economist	COMESA
Dr. Simplicie Nouala	Animal Resource Officer	African Union/Interafrican Bureau for Animal Resources
Dr. Julia Kinyua	National Technical Focal Point	IGAD-FAO Livestock Policy Initiative
Dr. Edmealem Shitaye	Senior Livestock Expert	Ministry of Agriculture and Rural Development, Ethiopia
Mr. Mesfin Berhanu	Coordinator, Emerging Regions Coordination Office	Ministry of Agriculture and Rural Development, Ethiopia
Mr. John Mungai	CAADP Focal Point	Ministry of Agriculture, Kenya
Mr. Stanley Muli	Livestock Officer	Ministry of Livestock Development, Kenya
Mr. Yonis Adar Mohamoud	Animal Production Officer	Ministry of Agriculture, Djibouti
Mr. Daher Issa	President	Djibouti Traders Association
Mr. Abdi Sheik Harun	Program Coordinator	Save the Children US, Ethiopia
Mr. Doyo Hargessa	Sub office Manager	Save the Children US, Ethiopia

Facilitators

Name	Position	Organisation
Dr. Dawit Abebe	Senior Pastoralism and Livestock Policy Adviser	Feinstein International Center, Tufts University
Dr. Roy Behnke	Consultant	Feinstein International Center, Tufts University
Mr. Ced Hesse	Director, Drylands Programme	International Institute for Environment and Development
Mr. Francis Chabari	Chief of Party, PACAPS	Feinstein International Center, Tufts University
Mr. Adrian Cullis	Head, Food Security Unit	Save the Children US Ethiopia
Dr. Andy Catley	Research Director	Feinstein International Center, Tufts University



Annex 2 Participant's evaluation of the training

The participants were asked to score the following statements from 1 (strongly disagree) to 5 (strong agree). The score were summated and presented as a percentage score.

Statement	Score
<i>"The training objectives were relevant to COMESA and CAADP, and regional and national partners"</i>	96%
<i>"The objectives of the training were achieved"</i>	86%
<i>"The venues of the training in Adama and Awash were appropriate in relation to the topic of the training"</i>	72%
<i>"The training had the right balance of presentations, discussion groups and field visits"</i>	90%
<i>"The interaction with pastoralist elders was very useful"</i>	98%
<i>"The training materials and CD-ROM were useful"</i>	94%
<i>"There is a high chance that I will actually apply what I've learnt during the training"</i>	90%
<i>"I would like to attend further training events on pastoralism and policy organized by COMESA/PACAPS"</i>	86%
<i>"I will share some of the training lessons or materials with colleagues"</i>	84%